THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE G.BHAVANI PRASAD

WRIT PETITION No.6013 of 2007

DATED 26-03-2007

Between:

M/s.Special Blast Private Limited,
302, Swagruha Safire, Beach Road,
Visakhapatnam, rep. by its Manager,
Mr.Niloykanti Das.

…**Petitioner**

And

1.The Commercial Tax Officer,
China Waltair Circle,
Visakhapatnam, and others.

…**Respondents**

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice G.Bhavani Prasad

WRIT PETITION No.6013 of 2007

Order: *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard the learned Counsel for the parties. With their consent, the Writ Petition is being disposed

of at this stage.

The controversy is that pending an appeal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would be met if stay was granted pending appeal, subject to deposit of half of the disputed tax liability by the petitioner. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal. The amount already paid by the petitioner shall be given credit to.

The Writ Petition is disposed of accordingly. No costs.

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(***Bilal Nazki, J***)

Dated 26th March, 2007

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(***G.Bhavani Prasad, J***)

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